

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
September 22, 2015

The regular meeting of the Planning Commission Subdivision Committee of the County of Kaua'i was called to order at 8:32 a.m., at the Līhu'e Civic Center, Mo'ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Mr. Sean Mahoney
Mr. Louis Abrams
Ms. Amy Mendonca

The following staff members were present: Planning Department – Dale Cua; Deputy County Attorney Jodi Higuchi-Sayegusa; Office of Boards and Commissions – Administrator Jay Furfaro, Commission Support Clerk Darcie Agaran

Discussion of the meeting, in effect, ensued:

CALL TO ORDER

Vice Chair Mahoney called the meeting to order at 8:32 a.m.

ROLL CALL

Staff Planner Dale Cua: Moving on to Roll Call.

Vice Chair Mahoney: We will call for a recess.

The Committee recessed at 8:33 a.m.
The Committee reconvened at 8:33 a.m.

Vice Chair Mahoney: We'll open up the Subdivision Committee; Tuesday, September 22, 2015.

Mr. Cua: Roll Call. Commissioner Mahoney?

Vice Chair Mahoney: Here.

Mr. Cua: Commissioner Abrams?

Mr. Abrams: Here.

Mr. Cua: Commissioner Mendonca?

Ms. Mendonca: Here.

Mr. Cua: Chair, we have three (3) members present.

Vice Chair Mahoney: Thank you.

APPROVAL OF THE AGENDA

Vice Chair Mahoney: Approval of the Agenda.

Mr. Cua: Chair, before we move on to the Approval of the Agenda, I'd like to make one (1) correction to the agenda. The correction would be the Subdivision Application number for Item I.2.a., which is the third item on the agenda. The corrected Application No. is "S-2013-5".

Vice Chair Mahoney: Okay. Do I have a motion for approval?

Mr. Abrams: Move for approval.

Ms. Mendonca: Second.

Vice Chair Mahoney: Any discussion? Hearing none. All in favor? (Unanimous voice vote) Opposed? (None) The motion carries 3:0.

RECEIPT OF ITEMS FOR THE RECORD

Vice Chair Mahoney: Receipt of Items for the Record.

Mr. Cua: We have none today.

Vice Chair Mahoney: Okay.

HEARINGS AND PUBLIC COMMENT

Vice Chair Mahoney: Hearings and Public Comment. If any member of the public would like to testify on any agenda item at this time, they may do so for three (3) minutes. Or they may do it after the agenda item is brought up. Seeing none.

GENERAL BUSINESS MATTERS

Vice Chair Mahoney: Moving on. General Business Matters.

Mr. Cua: We have none today.

UNFINISHED BUSINESS

Vice Chair Mahoney: Unfinished Business.

Mr. Cua: None.

NEW BUSINESS (For Action)

Tentative Subdivision Action

Subdivision Application No. S-2016-2, Kukui‘ula Development Co. (Hawai‘i) LLC,
Proposed 29-lot Subdivision, TMK: (4) 2-6-015:014, Kukui‘ula, Kōloa, Kauai

Vice Chair Mahoney: New Business. Tentative Subdivision Action. Subdivision Application No. S-2016-2; Kukui‘ula Development Company (Hawai‘i) LLC; proposed 29-lot subdivision; TMK: (4) 2-6-015:014; Kukui‘ula, Kōloa, Kaua‘i.

Can we have the subdivision report please?

Mr. Cua: Yes, Mr. Chair. What you have before you is Kukui‘ula’s...what they refer to as the Parcel H Subdivision. This subdivision application involves a total of twenty-nine (29) lots. The proposal establishes a total of nineteen (19) lots within the Residential District. There are two (2) roadway lots. There are seven (7) non-residential lots, and there is also one (1) remnant parcel. The proposal will be subject to the applicable requirements of Ordinance No. PM-2004-379. The application has been routed to the various reviewing agencies for their review and comment. The Department has incorporated the requirements into the subdivision report. As a result, we are recommending tentative subdivision approval of this application.

Vice Chair Mahoney: Okay. Are there any questions from the members of the Commission for the Planner?

None? None? Is there a representative for the Applicant?

Lindsey Crawford: Good morning, Commissioners. For the record, Lindsay Crawford, Kukui‘ula Development Company LLC, and Dave Hutchinson.

Vice Chair Mahoney: Okay, thank you. Are there any questions for the Applicant by any members of the Commission? No?

Do you understand, so far, the conditions of the tentative approval? Are there any concerns about any of the conditions?

Mr. Crawford: Yes, we’ve read through the conditions and agree with all conditions. We do have one (1) question, or one (1) possible exception we’d like to bring up, if that’s okay.

Vice Chair Mahoney: Okay.

Mr. Crawford: If I could refer you to Condition No. 1.d. This is the comment regarding the direct access off of our main access road within Kukui‘ula; it’s called Ala Kukui‘ula. There’s a note here about prohibition of access to Lots 18 and 19. Lots 18 and 19 are proposed to be two (2) condominium, multi-family lots; one (1) of the two (2) lots, we are actually contemplating access directly off of Ala Kukui‘ula. We have a diagram that we can share with you. So what I would like to ask the Commissioners is, is to put just a slight change to the wording saying that if allowed by Department of Public Works, that we might be allowed to have one (1) of those two (2); I think it’s Lot 19. Yes, 19, to possibly have access directly off of Ala Kukui‘ula.

Again, what I’m speaking about is just a basic driveway access to a common multi-family site.

I don’t think the lots are numbered on the exhibit, but it’s the one closest to the top of the page.

Mr. Cua: Mr. Chair, in regards to the Applicant’s request, maybe just to give you a little bit of background for the Committee members, the Subdivision Ordinance places a restriction for access onto major collector roads. In this particular case, Ala Kukui‘ula is considered a major road that not only services the project area, but due to the potential amount of volume on these type of roads, the Subdivision Ordinance places a restriction on access to roadways. That’s not to say that it can be permitted. Maybe in addressing the Applicant’s request, I think the appropriate measure would be for them to work directly with the Department of Public Works. Part of the request may require the Applicant to prepare some kind of traffic study. If warranted, then maybe perhaps an access can be permissible as shown on the map. So maybe in addressing the Applicant’s request, I would suggest that maybe...a second paragraph to say “access onto Lot 19 may be permissible, provided that the Applicant works directly with the Department of Public Works to support their request off Ala Kukui‘ula.”

Mr. Crawford: That would be acceptable to us.

Ms. Mendonca: I have a question. You’re basically saying that under normal circumstances, this is not permissible based on your no direct access, correct?

Mr. Cua: Correct.

Ms. Mendonca: How does that set precedence over other requests within that area for further development?

Mr. Cua: I think, generally speaking, the Ordinance says one thing, but I would say if Ala Kukui‘ula is maybe exclusive to providing access to just their development, I think the request could be supported based on the number of traffic along this roadway. A similar roadway would be, say like Kōloa Road, that connects Kōloa Town to Lāwa‘i. We all know that there is a large volume of traffic along this roadway. If Ala Kukui‘ula would be brought up to the level of use similar to Kōloa Road, I would say that I would discourage it in a situation like that. In this case, I think due to the number of developments in this area, I think the traffic volume along Kukui‘ula is relatively low at this time. As long as the Applicant demonstrates the traffic patterns and

coordinates their efforts with Public Works, then I can see their request being supported, but it would be done exclusively between the Applicant and through Engineering Division.

Vice Chair Mahoney: Do you have any questions?

Mr. Abrams: Dale, Ala Kukui‘ula is the...what was termed back then when they got the zoning here, is the South Shore Bypass.

Mr. Cua: Correct.

Mr. Abrams: So has that been resolved as to whether or not that’s going to be a dedicated road or not?

Mr. Cua: Well, I think in our General Plan, we identified the need for a South Shore Bypass road. In terms of the alignment, Kukui‘ula would be utilized as such, but at this time, there are several segments of this bypass road that still needs to be resolved.

Mr. Abrams: I don’t have any problem, Chair, with the language that Dale has suggested.

Vice Chair Mahoney: Is there any further comment?

Ms. Mendonca: Can you read that language again, please?

Mr. Cua: Essentially, there will be a second paragraph to Condition No. 1.d. I think the condition would read, “Access on to Lot 19 would be permissible, provided that the Applicant works directly with the Department of Public Works to accommodate access onto Ala Kukui‘ula.”

Ms. Mendonca: I would assume Public Works would be making further studies to determine that.

Mr. Cua: Correct. At the very minimum, the Department of Public Works would require some kind of traffic study.

Ms. Mendonca: Okay.

Vice Chair Mahoney: Okay. Any further comment?

Mr. Abrams: So that was “may be permissible”?

Ms. Mendonca: May be.

Mr. Cua: May be permissible.

Mr. Abrams: Okay.

Vice Chair Mahoney: Okay. Is that acceptable?

Mr. Crawford: That is acceptable, yes.

Vice Chair Mahoney: Okay. Are there any further questions on anything else? Or concerns? This is tentative subdivision approval, not a final subdivision approval; just for the record.

Ms. Mendonca: I so move to accept.

Vice Chair Mahoney: It's been moved.

Mr. Abrams: Yes, as amended.

Ms. Mendonca: As amended.

Vice Chair Mahoney: As amended with the verbiage that the Planner included for Condition No. 1.d. Okay, so there's a motion, and a second?

Mr. Abrams: Second.

Vice Chair Mahoney: Any further discussion? (None) All in favor? (Unanimous voice vote) Opposed? (None) Motion carries 3:0.

Mr. Crawford: Thank you, Commissioners.

Vice Chair Mahoney: Thank you.

Subdivision Application No. S-2016-3, Judith C. Page Trustee, et. al., Proposed 2-lot Consolidation, TMK: (4) 1-9-002:025, Hanapēpē, Kauaʻi

Vice Chair Mahoney: Okay, New Business. Tentative Subdivision Action. Subdivision Application No. S-2016-3; Judith C. Page Trustee, et al.; proposed 2-lot consolidation; TMK: (4) 1-9-002:025; Hanapēpē, Kauaʻi.

Can we have the evaluation from the Planner, and recommendation?

Mr. Cua: Thank you, Mr. Chair. In this proposal, the Applicant is seeking to consolidate an existing lot with a ten (10) foot wide private roadway. The parcel is located in Hanapēpē Valley. As a condition of the purchase from the State Department of Land and Natural Resources, DLNR is requiring that the Applicant pursue a subdivision application to consolidate both parcels. As I mentioned before, all the Applicant is looking to do is acquire that ten (10) foot wide private roadway into their parcel.

The subdivision application has been routed to the various reviewing agencies. The Department has received these requirements and incorporated the agency conditions into the subdivision

report. As a result, the Department is recommending tentative subdivision approval of this application.

Vice Chair Mahoney: Okay. Are there any questions from the Commission for the Planner?

No? Is there a representative for the Applicant present? Could you come up, please, to the microphone and state your name for the record?

Alan Hiranaka: Good morning, Commissioners. My name is Alan Hiranaka of Hiranaka Surveying and Mapping, and I'm the representative for the Applicant, Judith Page.

Judith Page: And I'm Judith Page.

Vice Chair Mahoney: Thank you. Are there any questions for the Applicant from any members of the Commission?

Do you understand, so far, the evaluation and recommendation? Any questions? Okay, hearing none.

I think that's it for your testimony then, if there are no questions.

Mr. Abrams: Move to approve.

Ms. Mendonca: Second.

Vice Chair Mahoney: It's been moved and seconded. Any discussion on the matter? Hearing none. All in favor? (Unanimous voice vote) Opposed? (None) Motion carries 3:0. Thank you very much.

Final Subdivision Action

Subdivision Application No. S-2013-5, Kenneth Souza Jr./Kenneth Souza Trust,
Proposed 3-lot Subdivision, TMK: (4) 2-7-006:006, 129, Ōma'o, Kauai

Vice Chair Mahoney: Next item is Final Subdivision Action. Subdivision Application No. S-2013-5; Kenneth Souza Jr./Kenneth Souza Trust.

Mr. Cua: Thank you, Mr. Chair. In this application, the proposal consolidates two (2) existing lots and re-subdivides into a total of three (3) lots, so essentially one (1) additional lot is being created in this proposal. The final subdivision map has been routed to the various reviewing agencies for their review and approval. The Department has received all of the necessary agency approvals. As a result, the Department is recommending final subdivision approval of this application.

Vice Chair Mahoney: Thank you. Are there any questions for the Planner?

No? Is the representative of the Applicant present? Could you come up, please, to the microphone and state your name for the record?

Roger Caires: Roger Caires, Land Surveyor, representing the Applicant.

Vice Chair Mahoney: Thank you. Are there any questions for the Applicant's representative?

Hearing none. Do you understand all of the conditions? And are you in agreement with the conditions?

Mr. Caires: Yes.

Vice Chair Mahoney: Okay. Thank you.

Ms. Mendonca: So move to approve.

Mr. Abrams: Second.

Vice Chair Mahoney: There's a motion and a second to approve. Any discussion? Hearing none. All in favor? (Unanimous voice vote) Opposed? (None) Motion carries 3:0. Thank you.

ADJOURNMENT

Vice Chair Mahoney: That's all the business for the Subdivision Committee. Meeting adjourned. Thank you.

Vice Chair Mahoney adjourned the meeting at 8:52 a.m.

Respectfully submitted by:



Darcie Agaran
Commission Support Clerk

() Approved as circulated (add date of meeting approval).

() Approved as amended. See minutes of _____ meeting.